



ATTORNEY DOCKET NO. 05010.0087U1
APPLICATION NO. 09/945,339

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)

WALLER et al.)

Application No. 09/945,339)

Filing Date: August 31, 2001)

For: METHODS OF TRANSPLANTATION)
USING CHEMOTHERAPY-TREATED)
ALLOGENEIC CELLS THAT ENHANCE)
IMMUNE RESPONSE WITHOUT)
GRAFT VERSUS HOST DISEASE)

Art Unit: 1644

Examiner: Belyavskiy, Michail A.

Confirmation No. 1418

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RESPONSE TO FINAL OFFICE ACTION UNDER 37 C.F.R. § 1.113

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer Number 23859

Sir:

Responsive to the Final Office Action dated April 9, 2003, please consider the following remarks.

Remarks

Claims 1-58 remain pending in the application. Claims 7-14 and 21-58 have been withdrawn from further consideration as being drawn to a non-elected invention. Claims 1-6 and 15-20 remain under examination.

Rejection Under 35 U.S.C. § 103

Claims 1-6 and 15-20 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 5,800,539 to Waller ("Waller") in view of Sykes et al. (WO 99/25367; "Sykes"). Applicants respectfully traverse this rejection.